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8 GERHARD FLORIN, LAWRENCE F. PROBST, III,
DON A. MATTRICK, NANCY L. SMITH,
9 STEPHEN BENÉ, J. RUSSELL RUEFF, JR. and
ELECTRONIC ARTS, INC.,
10

11 UNITED STATES DISTRICT COURT
12 NORTHERN DISTRICT OF CALIFORNIA
13

14 WALTER HAMMOCK, derivatively on
behalf of Nominal Defendant ELECTRONIC
15 ARTS, INC.,

16 Plaintiff,

17 v.

18 M. RICHARD ASHER, BRUCE
McMILLAN, LEONARD S. COLEMAN,
19 TIMOTHY MOTT, WILLIAM J. BYRON,
ROBERT W. PITTMAN, JOEL LINZNER,
20 WARREN C. JENSON, GERHARD
FLORIN, LAWRENCE F. PROBST, III,
21 DON A. MATTRICK, NANCY L. SMITH,
STEPHEN BENÉ and J. RUSSELL RUEFF,
22 JR.

23 Defendants,

24 and

25 ELECTRONIC ARTS, INC.,

26 Nominal Defendant,
27
28

Case No. C-05-02009-MMC

**STIPULATION AND ~~PROPOSED~~
ORDER STAYING CASE UNTIL
RESOLUTION OF MOTION TO
DISMISS RELATED CLASS ACTION**

Judge: Hon. Maxine M. Chesney

Date Comp. Filed: May 16, 2005

1 **WHEREAS**, this action was filed on May 16, 2005; and

2 **WHEREAS**, on June 20, 2005 this action was related to case 05-1219 MMC, *In re*
3 *Electronic Arts Securities Litigation*; and

4 **WHEREAS**, an amended complaint was filed in *In re Electronic Arts Securities*
5 *Litigation* (the “Related Class Action”) on August 12, 2005; and

6 **WHEREAS**, by prior order of this Court, defendants have until September 26, 2005 to
7 respond to the amended consolidated complaint; and

8 **WHEREAS**, defendants intend to file a motion to dismiss the Related Class Action
9 complaint; and

10 **WHEREAS**, the issues raised by the Related Class Action complaint and the issues
11 raised in the instant action are interrelated as they involve the same facts and some of the same
12 legal theories; and

13 **WHEREAS**, the parties have met and conferred extensively about this case and agree
14 that it would be more efficient if the Court considered any motion related to this case after the
15 Court resolves defendants’ motion to dismiss the Related Class Action; and

16 **WHEREAS**, the parties believe that it would conserve judicial resources if the court was
17 not required to consider a motion to dismiss the instant complaint until after it had ruled on the
18 Related Class Action complaint; and

19 **WHEREAS**, the parties further believe that the Court’s ruling on defendants’ motion to
20 dismiss the Related Class Action complaint will have a significant impact on the potential
21 disposition of this case, including but not limited to settlement or dismissal,

22 **IT IS THEREFORE STIPULATED THAT:**

- 23 1. Plaintiffs shall not be required to file an amended complaint in this action until
24 30 days after the court rules on Defendants’ forthcoming motion to dismiss the
25 Related Class Action complaint in *In re Electronic Arts Securities Litigation*;
26 2. All other proceedings in this case, including all discovery and initial disclosure
27 requirements, are stayed until 30 days after the court rules on Defendants’
28 forthcoming motion to dismiss the Related Class Action complaint in *In re*

Electronic Arts Securities Litigation.

3. Defendants shall have 45 days from the date an amended complaint is filed to answer or otherwise respond to the amended complaint. Should defendants move to dismiss the amended complaint, Plaintiffs shall have 45 days from the date of the filing of Defendants' motion to dismiss to file their opposition, and Defendants shall have 15 days to file their reply.

Dated: September 6, 2005.

KEKER & VAN NEST, LLP

By: /s/ Michael D. Celio

MICHAEL D. CELIO
Attorneys for Defendants
M. RICHARD ASHER, et al.

Dated: September 6, 2005.

MARY ALEXANDER ASSOCIATES

By: /s/ Mary E. Alexander (by express permission)

MARY E. ALEXANDER
Attorneys for Plaintiff
WALTER HAMMOCK

IT IS SO ORDERED.

Dated: September 6, 2005

By:



HON. MAXINE M. CHESNEY
UNITED STATES DISTRICT COURT